

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15726 of Jubilee Housing, Inc., pursuant to 11 DCMR 3108.1, for a special exception under Section 334 to establish a temporary community service center in the basement of an apartment building in an R-5-B District at premises 1631 Euclid Street, N.W. (Square 2576, Lot 63).

HEARING DATE: October 14, 1992
DECISION DATE: October 14, 1992 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commissions (ANCs) 1C and 1B and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 1C and in proximity to ANC 1B. ANC 1C, which is automatically a party to the application, did not submit a written statement of issues and concerns.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 334. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof pursuant to 11 DCMR 3108. The Board concludes that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of **THREE (3) YEARS**.
2. The number of students in the proposed community center shall be limited to a maximum of 12 at any one time.
3. The hours of operation for classes shall be between 9:00 a.m. and 12:30 p.m., Monday through Friday; between 7:00 p.m. and 9:00 p.m., Monday through Thursday; and between 9:00 a.m. and 12:00 p.m. on Saturday. Individual

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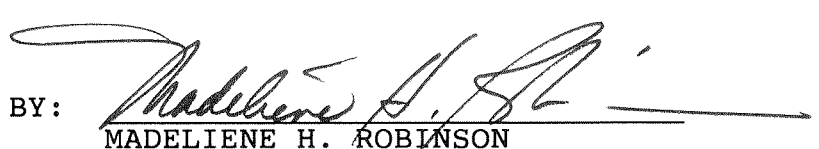
tutoring shall be scheduled between 1:00 p.m. and 3:00 p.m., Monday through Friday.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate.

VOTE: 4-0 (Paula L. Jewell, Maybelle Taylor Bennett, Angel F. Clarens and Carrie L. Thornhill to grant; Sheri M. Pruitt not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER:

OCT 27 1992

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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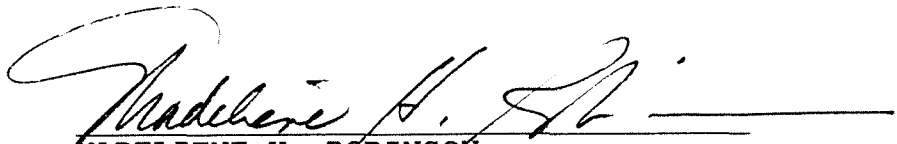
As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on OCT 27 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Richard S. Nero, Jr.
Allison C. Prince, Esquire
Wilkes, Artis, Hedrick and Lane
1666 K Street, N.W., Suite 1100
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Thomas Brown
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Wash, D.C. 20009

James P. Crane, Chairperson
Advisory Neighborhood Commission 1-C
2409 - 18th Street, N.W.
Washington, D.C. 20009


MADELIENE H. ROBINSON
Acting Director

DATE: OCT 27 1992